

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
81 Higuera Street, Suite 200  
San Luis Obispo, CA 93401-5427

WASTE DISCHARGE REQUIREMENTS ORDER NO. 99-087  
NPDES PERMIT NO. CA0049981  
[Waste Discharger Identification No. 3 279906001]  
First Draft June 25, 1999  
Proposed for Consideration at the October 22, 1999 Meeting

**FOR**

**CITY OF SALINAS  
MUNICIPAL STORM WATER DISCHARGES  
Monterey County**

The California Regional Water Quality Control Board, Central Coast Region (hereinafter the Regional Board), finds that:

1. Storm water discharges consist of surface runoff generated from various land uses which discharge into water bodies of the United States. The quality of these discharges varies considerably and is affected by land use activities, basin hydrology and geology, season, frequency and duration of storm events, and the presence of illegal disposal practices/illicit connections. Nation-wide studies have shown urban storm water runoff and non-storm water discharges to storm water conveyance systems may contain pollutants which can impact receiving waters, and as such, may be causing or threatening to cause exceedances of water quality objectives. These studies indicate the following major sources for urban storm water pollution:
  - a. Industrial sites where appropriate pollution control and best management practices (BMPs) are not implemented;
  - b. Construction sites where erosion and siltation controls and BMPs are not implemented; and
  - c. Urban runoff where the drainage area is not properly managed.
2. The 1987 amendments to the Federal Water Pollution Control Act (also referred to as the Clean Water Act (CWA)) added Section 402(p) which establishes a framework for regulating municipal and industrial storm water discharges under the National Pollutant Discharge Elimination System (NPDES) program.
3. On November 16, 1990, the U.S. Environmental Protection Agency (U.S. EPA) published final regulations which establish application requirements for storm water permits. The Code of Federal Regulations, Title 40, Part 122, Section 26 (40 CFR 122.26(a)) defines municipal storm water permit requirements. Sections 26(a)(iii) and (iv) require NPDES storm water permits be issued for all discharges from large and medium municipal separate storm sewer systems. Medium municipal separate storm sewer systems are 1) all municipal storm sewers located in an incorporated place, with a population of 100,000 or more but less than 250,000, as determined by the latest Decennial Census, or 2) owned or operated by a municipality designated by the Regional Board as part of the medium municipal separate storm sewer system due to the interrelationship between the discharges of the designated storm sewer and the discharges from the medium municipal separate storm sewer system within the incorporated area.

4. 40 CFR 122.26(b)(8) defines "municipal separate storm sewer" as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) which are (1) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; (2) designed or used for collecting or conveying storm water; (3) not a combined sewer; and (4) not part of a publicly owned treatment works as defined at 40 CFR 122.2.
5. The City of Salinas (hereinafter referred to as the permittee) has a population over 100,000 persons (108,777 according to the 1990 census). The City owns and/or operates a municipal separate storm sewer system within its incorporated boundary.
6. The City of Salinas is situated in the northern part of the Salinas Valley in Monterey County, approximately ten miles east of the Pacific Ocean and adjacent to the Salinas River. Four major channels and several minor tributaries pass through the Salinas area and receive storm water discharges. The major channels are Natividad Creek, Gabilan Creek, Santa Rita Creek, and the Reclamation Canal, a man-made channel which collects flow from the three creeks. There are nine dry lakes in the Salinas area: Carr Lake, Santa Rita Lake, Fontes Lake, Smith Lake, Heins Lake, Cooper Lake, Mill Lake, Boronda Lake, and Markley Swamp. Carr Lake is the only lakebed located within the City limits, functioning as a storm water retention basin and buffering flows to the Reclamation Canal. Storm water from the City also discharges to the Salinas River through an outfall that runs from the former Salinas Wastewater Treatment Plant site.

Downstream from the City, the Salinas River enters into an estuary which is often separated from the Pacific Ocean by a sand bar. Water bodies associated with the Salinas River downstream from the City include Blanco (Vierra) Drain, the Old Salinas River, and the Salinas Lagoon. Flows from the Reclamation Ditch and Alisal Slough downstream of Salinas discharge into Tembladero Slough. Flows from Santa Rita Creek discharge into Espinosa Slough. These two sloughs are tributary to the Old Salinas River which discharges into the Pacific Ocean at the downstream end of the Elkhorn Slough and Moro Cojo Slough estuary system near Moss Landing. A map showing the drainage systems in the Salinas area is included as Attachment "A."

7. The permittee has applied for a NPDES Permit for storm water discharges. The permittee submitted Part 1 of the NPDES Municipal Storm Water Permit Application (Application) in August 1994. Part 2 of the Application was submitted in phases, with Phase 1 submitted in March 1996, Phase 2 in July 1997, and Phase 3 in August 1998.

8. The permittee's Application includes a statement of legal authority, a storm water management program, a long-term monitoring program, and an assessment/evaluation program which concurrently manage discharges of storm water from the municipal separate storm sewer system (hereinafter referred to as the permittee's storm drain system) within the Permit boundary, as defined in Finding 9, which is entirely within the jurisdiction of the Central Coast Regional Board.
9. The Permit boundary, as shown in Attachment "B" and incorporated herein and made a part of this Order, is the incorporated area of the City.
10. The permittee and other public agencies and private persons, own and operate storm water conveyance systems which service drainage areas within the Permit boundary. The permittee's storm drain system consists of 122 miles of pipes ranging from 12 to 84 inches in diameter. The storm drain system discharges into the surface water bodies listed in Finding 6, above.
11. There are municipal separate storm sewer systems discharging within the incorporated area of the City which are not owned or operated by the permittee. The permittee may lack legal jurisdiction over storm water discharges into its system from some of the state and county facilities, agricultural land, utilities and special districts. Some of those systems are owned or operated by the California Department of Transportation (Caltrans) and Monterey County. Specifically, Caltrans owns and operates State rights-of-way and Monterey County has jurisdiction over storm water discharges from County owned properties. In addition, Monterey County Water Resources Agency owns and operates the Reclamation Canal. To the extent the permittee lacks jurisdiction, the Regional Board encourages the permittee to develop agreements with appropriate entities to ensure proper management of storm water discharges; however, the permittee will not be held responsible for municipal facilities and/or discharges for which it lacks jurisdiction.
12. This order specifies requirements to protect the beneficial uses of the waters of the U.S. The intent of this permit is to regulate pollutant discharges, identify and focus on those areas which threaten beneficial uses, and improve water quality in the Region in a timely manner.
13. The Regional Board amended its Water Quality Control Plan (Basin Plan) for the Central Coast Region on September 8, 1994, which contains water quality objectives and designates beneficial uses of ground and surface waters in this Region. The Basin Plan amendments became effective on April 14, 1995. The Basin Plan also incorporates by reference all State Water Resources Control Board (State Board) water quality control plans and policies.
14. The beneficial uses, as listed in the Basin Plan, for receiving waters within and downstream of the permitted area include:
  - a. Municipal and Domestic Supply
  - b. Agricultural Supply

- c. Ground Water Recharge
  - d. Water Contact Recreation
  - e. Non-Contact Water Recreation
  - f. Wildlife Habitat
  - g. Cold Fresh Water Habitat
  - h. Warm Fresh Water Habitat
  - i. Spawning, Reproduction, and/or Early Development
  - j. Preservation of Biological Habitats of Special Significance
  - k. Rare, Threatened, or Endangered Species
  - l. Estuarine Habitat
  - m. Migration of Aquatic Organisms
  - n. Freshwater Replenishment
  - o. Commercial and Sport Fishing
15. In fulfillment of the NPDES permitting requirements, the permittee has submitted descriptions of management programs being implemented (or to be implemented) to manage storm water runoff. These management programs are referred to collectively as the Storm Water Management Program (SWMP) for the permittee. The SWMP provides an approach over the next five-year period to reduce the discharge of pollutants to the permittee's storm drain system to the maximum extent practicable. The SWMP emphasizes pollution prevention activities through the following major program elements:
- a. Structural Controls Maintenance
  - b. New Development/Redevelopment Policies and Procedures
  - c. Roadway Operations and Maintenance
  - d. Flood Control Facilities/Flood Management Projects
  - e. Pesticides/Herbicides/Fertilizers Control Program
  - f. Illicit Discharge Prevention
  - g. Field Screening and Investigation Procedures for Illicit Discharges
  - h. Spill Prevention/Containment Response Procedures
  - i. Public Reporting of Non-Storm Water Discharges
  - j. Used Oil/Toxics Management and Disposal
  - k. Control of Seepage from Sanitary Sewer Lines
  - l. Industrial Facilities Monitoring Program
  - m. Industrial Facilities Inspection Priorities and Procedures
  - n. Construction Site Planning Procedures
  - o. Construction Site Best Management Practice Requirements
  - p. Construction Site Inspection and Enforcement Procedures
  - q. Educational and Training Measures
- Each program element describes Best Management Practices (BMPs) to be implemented to reduce the amount of pollutants in storm water discharges. The ultimate goal of the SWMP is to support attainment of water quality consistent with Basin Plan water quality objectives in order to protect present and potential beneficial uses of receiving waters.
16. As a portion of the Part 2 NPDES Application, the permittee has submitted a long term monitoring work plan and a plan for assessment of storm water controls.

These plans are designed to monitor and assess the implementation and effectiveness of the BMPs described in the SWMP.

17. Numerical and narrative water quality objectives exist for receiving waters in the Central Coast Region. However, due to the variability in storm water quality and quantity and the complexity of urban runoff, the impact of urban storm water runoff discharges on water quality or receiving waters has not been fully determined. Therefore, this Order does not contain numerical effluent limitations for specific constituents. The permittee's storm water discharges may not, however, cause or contribute to an exceedance of a receiving water quality objective contained in the Basin Plan or other statewide plans or policies. Collection and analysis of urban storm water runoff and receiving water quality monitoring data are essential for making that determination. This Order requires the permittee to collect urban storm water runoff and receiving water quality data within the permit boundary, as described in the permittee's Long Term Monitoring Program. This Order also requires implementation of BMPs as described in the permittee's SWMP, as well as ongoing assessment of the implementation and effectiveness of the BMPs (to be reported in an Annual Evaluation Report).
18. The permittee's SWMP, long-term monitoring program, and assessment of controls plan are dynamic documents to be modified as needed to ensure effective management of storm water discharges. Proposed modifications to these plans will be presented in an annual report to the Regional Board and are subject to approval by the Executive Officer.
19. It is the Regional Board's intent that activities under this Order shall protect beneficial uses of receiving waters. Therefore, this Order includes Receiving Water Limitations that implement water quality objectives and maintain and enhance water quality in receiving waters. This Order requires implementation of control measures and other management practices as outlined in the Application to reduce pollutants in storm water discharges to the maximum extent practicable as required in 40 CFR 122.26(d)(2)(iv). The Receiving Water Limitations require implementation of control measures technically and economically feasible, as necessary, to protect beneficial uses and attain water quality objectives in receiving waters.

Due to the unique aspects of managing storm water discharges through storm drain systems (intermittent discharges, difficulties in monitoring, limited physical control over the discharge, etc.), the permittee will need to evaluate the effectiveness of BMPs during the duration of the permit and determine whether the implemented BMPs are adequately protecting receiving waters. As a result, Section C (Receiving Water Limitations) of this Order includes a procedure for determining whether storm water discharges are causing continuing or recurring exceedances of receiving water limitations and for evaluating whether the SWMP must be revised. The permittee will be in compliance with the Receiving Water Limitations so long as the permittee complies with that procedure.

20. To address industrial and construction sites, the State Board issued two statewide general NPDES permits: one for storm water runoff from industrial sites (NPDES No. CAS000001, General Industrial Activities Storm Water Permit)

and the second one for storm water runoff from construction sites (NPDES No. CAS000002, General Construction Activities Storm Water Permit).

21. One of the major components of these statewide general permits is the development and implementation of a storm water pollution prevention plan (SWPPP).
22. Many industrial facilities and all construction activities resulting in land disturbance of five acres or more are required to obtain coverage under these statewide general permits.
23. The Regional Board administers compliance with the statewide general permits. However, in most cases, the industries and construction sites discharge into storm drains and/or flood control facilities owned or operated by the permittee. These industries and developers are also regulated under local laws and regulations. Under the CWA, the permittee will need to refer compliance issues with the State NPDES general permits to the Regional Board. Regional Board staff intend to work cooperatively with the permittee to ensure industries, businesses, and developers within the permittee's jurisdiction are not subject to duplicate or overlapping storm water regulatory activities. A Memorandum of Understanding between the permittee and the Regional Board may be appropriate to efficiently implement storm water regulations for industries and construction sites at the local level.
24. The permittee has agreed to notify the Regional Board staff when conditions are observed which result in a threat or potential threat to water quality. This also includes failure by industrial facilities or construction sites to obtain coverage under the general storm water permits.
25. The permittee has developed conditions of approval for new developments causing five or more acres of land disturbance, to include submittal of a copy of the Notice of Intent to comply with the statewide general permit, as well as a copy of the SWPPP.
26. The permittee is working to establish a funding mechanism for the implementation costs of their storm water management program.
27. In order to assess the effectiveness of the SWMP, discharge characterization, baseline monitoring, and long term monitoring are necessary. The permittee has chosen to use California and nation-wide urban storm water quality discharge data to characterize storm water discharges from their storm drain system, as opposed to doing extensive sampling and analysis. The permittee is implementing an ongoing baseline monitoring program consisting of dry and wet weather visual observations and sampling. Dry weather field screening is intended to identify and eliminate illicit discharges to the storm drain system through observations (and sampling, as necessary) at selected outfalls during each year. Wet weather baseline monitoring involves observation and sampling of storm water discharges at high priority outfalls for two storm events annually.

29. The permittee submitted a long term monitoring program field sampling plan as part of their Application. This plan is intended to evaluate both the effectiveness of the storm water management measures and compliance with the terms of the Order. The long term monitoring effort will consist of ongoing baseline monitoring as described above, annual environmental monitoring of receiving waters, and participation in the Regional Board's Central Coast Ambient Monitoring Program (CCAMP) in the Salinas watershed. CCAMP monitoring activities are expected to focus on the Salinas watershed once during each five year permit term.
30. The Strategic Plan and Initiatives (June 22, 1995) for the State Water Resources Control Board and the Regional Water Quality Control Boards recognizes the importance of an integrated watershed management approach. The Regional Board also recognizes a watershed management program should integrate all related programs, including storm water programs. The Regional Board is supportive of development of integrated watershed monitoring programs involving all stakeholders.
31. The permittee obtains its authority to control pollutants in storm water discharges, to prohibit illegal discharges/illicit connections, to control spills, and to require compliance and carry out inspections of the storm drain systems in the permit boundary through its municipal Charter and Code. In addition, the permittee is developing and implementing a storm water discharge control ordinance to specifically control the quality of storm water discharges to the municipal storm drain system. The ordinance, in addition to making the requirements clear and understandable, will consolidate specific storm water requirements into one chapter in the City Code.
32. Early identification of potential storm water impacts and mitigation measures can significantly reduce storm water pollution problems. The permittee's SWMP addresses these impacts and appropriate mitigation measures in the planning procedures and in the California Environmental Quality Act (CEQA) review process for specific projects, Master Plans, etc.
33. Successful implementation of the provisions and limitations in this Order will require the cooperation of all public agency organizations within the permit boundary having programs/activities which impact storm water quality (e.g., Fire Department, Building and Safety, Code enforcement, etc.). As such, these organizations are expected to actively participate in implementing the storm water program. Memorandums of Understanding may be necessary in certain situations.
34. The permittee may petition the Regional Board to issue a separate NPDES permit to any discharger of non-storm water into storm drain systems which the permittee owns or operates.
35. The requirements contained in this Order are necessary to implement the water quality objectives contained in the Basin Plan for receiving waters within this Region.

36. The Regional Board has considered anti-degradation provisions pursuant to 40 CFR 131.12 and State Water Board Resolution No. 68-16, and finds the permitted discharge is consistent with those provisions.
37. The Regional Board will notify interested agencies and interested persons of the availability of reports, plans, and schedules submitted in response to requirements of this Order and may provide them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations. The Regional Board will consider all comments and may require modification of the reports, plans, or schedules, or may modify this Order accordingly.
38. The Regional Board has notified the permittee, interested agencies, and interested persons of its intent to prescribe waste discharge requirements for this discharge, has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations, and, at a properly noticed public meeting on October 22, 1999, heard and considered all comments pertaining to the discharge.
39. The issuance of waste discharge requirements for this discharge is exempt from the provisions of the California Environmental Quality Act (CEQA), Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code in accordance with Section 13389 of the California Water Code.
40. Receiving Water Limitations in this Order are based on the Federal Clean Water Act, Regional Board Basin Plan, State Water Board plans and policies, and best professional judgment.
41. This Order serves as a NPDES Permit for discharges of storm water from the permittee's storm drain system within the Permit boundary, pursuant to Section 402 of the CWA, or amendments thereto, and shall become effective ten days after the date of its adoption provided the U.S. EPA Regional Administrator has no objections.

THEREFORE, IT IS HEREBY ORDERED that the City of Salinas, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the CWA as amended and regulations and guidelines adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. The discharge of storm water from the permittee's storm drain systems to waters of the United States containing pollutants which have not been reduced to the maximum extent practicable is prohibited.
2. The permittee shall effectively prohibit the discharge of non-storm water into the permittee's storm drain system. NPDES permitted non-storm water discharges are exempt from this prohibition. The non-storm water discharges listed below are not expected to be sources of pollutants, therefore, they are not prohibited provided such sources are identified. However, non-storm water discharges listed below that are sources of pollutants, or cause or contribute to violations of



water quality objectives, as determined by the permittee or the Executive Officer, are prohibited.

- a. water line flushing;
  - b. landscape irrigation;
  - c. diverted stream flows;
  - d. rising ground waters;
  - e. uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(20));
  - f. uncontaminated pumped groundwater;
  - g. discharges from potable water sources;
  - h. foundation drains;
  - i. air conditioning condensate;
  - j. irrigation water;
  - k. springs;
  - l. water from crawl space pumps;
  - m. footing drains;
  - n. lawn watering;
  - o. individual residential car washing;
  - p. flows from riparian habitats and wetlands;
  - q. dechlorinated swimming pool discharges;
  - r. discharges or flows from emergency fire fighting activities;
  - s. fire hydrant flow testing;
  - t. waters not otherwise containing waste as defined in the California Water Code Section 13050(d).
3. List 'a' through 'u' in Discharge Prohibition A.2. may be amended, as approved by the Executive Officer, over the term of this Order to incorporate other de minimis categories of non-storm waters determined as a result of studies conducted by the State and Regional Boards, or the permittee.
  4. Non-storm water discharges from public agency activities into waters of the U.S. are prohibited unless the non-storm water discharges are permitted by an NPDES permit or are included in A.2, above. If permitting or elimination of the non-storm water discharges is impractical, the permittee shall include in the Annual Evaluation Report, required in the Monitoring and Reporting Program of this order, a proposed plan to eliminate the non-storm water discharges in a timely manner.

#### B. EFFLUENT LIMITATIONS

1. Pollutants in storm water discharges from the permittee's municipal storm drain system within the Permit boundary shall be reduced to the maximum extent practicable.
2. Pollutants in storm water discharges and authorized non-storm water discharges (in accordance with the statewide General Industrial and General Construction Activities Storm Water Permits) from industrial sites or construction activities owned or operated by the permittee, shall be reduced through development and implementation of Storm Water Pollution Prevention Plans that include BMPs

which achieve Best Available Technology Economically Achievable (BAT) for toxic and non-conventional pollutants, and Best Conventional Pollutant Control Technology (BCT) for conventional pollutants.

C. RECEIVING WATER LIMITATIONS

1. Receiving water limitations are based upon the beneficial uses, water quality objectives, and water quality standards contained in the Basin Plan, and amendments thereto, and on ambient water quality. They are intended to protect beneficial uses and attain water quality objectives contained in the Basin Plan. The discharge of urban storm water or non-storm water from a municipal storm drain system for which the permittee is responsible under the terms of this Order shall not cause or significantly contribute to continuing or recurring impairment of beneficial uses or exceedances of water quality objectives or standards or create a condition of pollution or nuisance.
2. The permittee shall comply with Discharge Prohibitions A.1-A.4 and Receiving Water Limitation C.1 through timely implementation of control measures and other actions to reduce pollutants in the discharges in accordance with the SWMP and other requirements of this permit including any modifications. The SWMP shall be designed to achieve compliance with Receiving Water Limitation C.1. If exceedance(s) of water quality objectives or water quality standards (collectively, WQS) persist notwithstanding implementation of the SWMP and other requirements of this permit, the permittee shall assure compliance with Discharge Prohibitions A.1-A.4 and Receiving Water Limitations C.1 by complying with the following procedure:
  - a. Upon a determination by either the permittee or the Regional Board that discharges are causing or contributing to an exceedance of an applicable WQS, the permittee shall promptly notify and thereafter submit a report to the Regional Board that describes BMPs that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedance of WQSs. The report may be incorporated in the Annual Evaluation Report unless the Regional Board directs an earlier submittal. The report shall include an implementation schedule. The Regional Board may require modifications to the report.
  - b. Submit any modifications to the report required by the Regional Board within 30 days of notification.
  - c. Within 30 days following approval of the report described above by the Regional Board, the permittee shall revise the SWMP and monitoring program to incorporate the approved modified BMPs that have been and will be implemented, implementation schedule, and any additional monitoring required.

- d. Implement the revised SWMP and monitoring program in accordance with the approved schedule.

So long as the permittee has complied with the procedures set forth above and is implementing the revised SWMP, the permittee does not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the Regional Board to develop additional BMPs. As appropriate, any determinations under this part or revisions to the SWMP may be considered by the Regional Board in a public meeting.

#### D. PROVISIONS

1. The permittee shall demonstrate compliance with this Order through timely implementation of control measures and other actions to reduce pollutants in discharges to the maximum extent practicable in accordance with its SWMP and any of its modifications, revisions, or amendments, and the provisions of this Order and any of its modifications, revisions, or amendments.
2. The permittee shall implement all elements of the SWMP. Any proposed revisions to the SWMP shall be submitted with the Annual Evaluation Report to the Executive Officer of the Regional Board for review and approval. All approved revisions to the SWMP shall be implemented in a timely manner.
3. The permittee shall report to the Executive Officer of the Regional Board:
  - a. Any enforcement actions and discharges of storm or waste waters within the City boundaries, known to the permittee, which may have an impact on human health or the environment,
  - b. Any suspected or reported activities on federal, state, or other entity's land or facilities within the permit area and known to the permittee, where the permittee does not have any jurisdiction, and where the suspected or reported activities may be contributing pollutants to waters of the U.S.
4. The permittee shall not issue any grading permit for construction activities which will disturb five acres or more (or less than five acres, if it is part of a larger common plan of development or sale which is five acres or more) until proof of coverage with the State's General Construction Activity Storm Water Permit is verified. The proof of coverage may include a letter from the Regional Board office, a copy of the Notice of Intent, Waste Discharger Identification number, etc.
5. Storm Water Management Plan (SWMP)
  - a. SWMP Implementation

The permittee shall continue to implement the SWMP as submitted in the Phase III submittal (August 1998) and shall demonstrate its implementation and effectiveness and provide for necessary and appropriate revisions,

modifications and improvements in accordance with Provisions D.9, D.11, and as approved per Provision D.12 of this Order.

b. Legal Authority

The permittee shall annually review and assess its legal authority to adequately implement any modifications to the SWMP. If the permittee finds its legal authority is not adequate, it shall submit a plan, with a schedule, to address and change its legal authorities to be adequate to implement the program. Reporting of the permittee's findings, and plan, if needed, will be submitted as part of the Annual Evaluation Report required by Monitoring and Reporting Program No. 99-087.

c. Fiscal and Staffing Analysis

Annually, the permittee shall provide a fiscal and staffing analysis. The fiscal analysis will detail the expenditures necessary to accomplish the activities of the SWMP. Such analysis shall include a description of the source(s) of funds that are proposed to meet the necessary expenditures, including legal restrictions on the use of such funds, and staffing requirements. The staffing analysis will detail the equivalent staffing required to accomplish the activities of the SWMP. The fiscal and staffing analysis will be submitted as part of the Annual Evaluation Report required by Monitoring and Reporting Program No. 99-087.

6. Assessment of Controls Plan

The permittee shall continue to implement the Assessment of Controls Plan (ACP) submitted with the Application, or as subsequently modified as per Provision D.9. Evaluation of effectiveness of the SWMP through the ACP will be reported annually in the Annual Evaluation Report.

7. Non-Storm Water Discharges

- a. For discharges from facilities not owned or operated by the permittee, and from facilities not identified and approved by the Regional Board in accordance with Provision D.4.b:

Based on information gathered over the permit term, the permittee shall describe the categories of non-storm water discharges, including those listed in Discharge Prohibition A.2 of this Order, which have been identified as a source of pollutants. Such discharges will be prohibited from being discharged to the permittee's storm drain system unless subject to a separate NPDES Permit. For each category, the permittee shall:

- i. Evaluate its SWMP to determine its effectiveness in eliminating these discharges.
- ii. Propose modifications, if necessary, to the SWMP.

- iii. The permittee shall implement the revised SWMP as approved by the Executive Officer.
- b. For discharges to the municipal storm drain system from facilities that are owned or operated by the permittee:
  - i. This Order may be amended by the Regional Board to authorize certain non-storm water discharges from sites owned or operated by the permittee, provided the permittee submits the following:
    - (a) A list of non-storm water discharges requested to be covered by this Permit.
    - (b) The name and location of the facility causing the discharge(s) to occur.
    - (c) A characterization of the quality and quantity of the discharge(s).
    - (d) A description of the control measures, subject to Executive Officer approval, to be implemented, including an implementation schedule, to control, eliminate, or reduce pollutants in non-storm water discharges.
    - (e) A proposed monitoring plan, subject to Executive Officer approval, to be implemented by the permittee to insure control measures are being implemented and are effective. The monitoring plan shall include visual monitoring, and, when appropriate, sample collection and analysis.
  - ii. Non-storm water discharges to be covered by this Order are subject to Effluent Limitation B.2 at the point of discharge from the facility.
  - iii. Non-storm water discharges not approved to be covered by this Order are subject to Discharge Prohibition A.2 of this Order.
  - iv. The permittee may propose, as part of its Annual Evaluation Report required by Monitoring and Reporting Program No. 99-087, additional non-storm water discharges to be covered by this Order in accordance with procedures established in Provision D.4.b.i.

## 8. Construction Activities

- a. This NPDES permit serves as the NPDES permit required for discharges of storm water associated with construction activity from soil disturbance of five (5) acres or more for construction projects undertaken by the permittee within the permit boundary. The permittee does not need to file a Notice of Intent for coverage under the State Board's General Construction Activities Storm Water Permit (General Construction Permit) provided compliance is maintained with this section of the Order. Specifically, the permittee shall

perform the following with respect to City owned or operated construction sites:

- i. All public construction projects undertaken by the permittee, or activities which would otherwise necessitate coverage under the General Construction Permit, or construction projects which will pose a threat to water quality, shall be reported to the Regional Board. The dates and location of the construction project, the party responsible for the project, and the telephone number of the responsible party shall be reported. This information shall be reported to the Regional Board prior to the start of construction.
  - ii. A Storm Water Pollution Prevention Plan (SWPPP) shall be developed and implemented for all the permittee's public construction projects in the permitted area if they consist of five acres or more of land disturbance or pose a threat to water quality. The SWPPP shall be retained on-site during the entire construction period. The permittee shall be responsible for assuring the SWPPP is implemented.
  - iii. Discharges of non-storm water are allowed only when necessary for performance and completion of construction projects, and when allowed or permitted by the Executive Officer. Such discharges shall not cause or contribute to a violation of any water quality standard and shall be described in the SWPPP. Wherever feasible, alternatives which do not result in discharge of non-storm water shall be implemented.
  - iv. Monitoring shall be performed for all public construction projects in accordance with Monitoring and Reporting Program No. 99-087.
  - v. A Notice of Termination shall be submitted to the Regional Board within 30 days of the completion of all construction projects and shall be in a form acceptable to the Executive Officer.
  - vi. Specific routine construction activities that will not cause or contribute to a violation of any water quality objective can be exempted by the Executive Officer from compliance requirements specified in this Section. Such activities must first be approved by the Executive Officer.
9. The SWMP, the long-term monitoring program, and the assessment of controls plan may need to be modified, revised, or amended from time to time to respond to changed conditions and to incorporate more effective approaches to pollutant control. Requests for changes may be initiated by the Executive Officer or by the permittee. Major revisions to the program, as determined by the Executive Officer, will be brought before the Regional Board as Permit amendments. Minor changes may be made with the Executive Officer's approval, and may be brought to the Regional Board as informational items. Such proposed changes shall be submitted to the Regional Board as part of the Annual Evaluation Report.

10. This Order may be modified, or alternately, revoked or reissued, prior to the expiration date as follows:
  - a. to address changed conditions or new information identified in the required technical reports or other sources deemed significant by the Regional Board;
  - b. to incorporate applicable requirements of statewide water quality control plans adopted by the State Board or amendments to the Basin Plan; or
  - c. to comply with any applicable requirements, guidelines, or regulations issued or approved under Section 402(p) of the CWA, if the requirement, guideline, or regulation so issued or approved contains different conditions or additional requirements not provided for in this Order. The Order as modified or reissued under this paragraph shall also contain any other requirements of the CWA then applicable.
  - d. to be consistent with any amendments to the CWA regarding the discharges from municipal separate storm sewer systems.
  - e. at the request of the permittee, this Order may be modified to revise or amend the Receiving Water Limitations to achieve consistency with State or federal laws or policies adopted subsequent to the date of this Order.
11. The permittee shall comply with Monitoring and Reporting Program No. 99-087, which is part of this Order, and any revisions or modifications thereto as ordered by the Executive Officer. The Executive Officer is authorized to revise the Monitoring and Reporting Program and also to allow the permittee to participate in regional, statewide, national, or other monitoring programs.
12. Upon approval by the Regional Board's Executive Officer, all plans, reports, and subsequent amendments as required by this order shall be implemented and shall become an enforceable part of this Order. Prior to approval by the Executive Officer these plans, reports, and amendments shall not be considered as an enforceable part of this Order.
13. The permittee shall implement the SWMP, the long term monitoring plan, and the assessment controls plan, including any revisions thereto made in accordance with Receiving Water Limitation C.2.b.iii or Provision D.9 or Item I.1 of Monitoring and Reporting Program 99-087.
14. The permittee shall comply with all applicable parts of the Standard Provisions contained in Appendix A of this Order.
15. This Order expires on October 22, 2004. The permittee must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, no later than 180 days in advance of such date in application for renewal of waste discharge requirements. The Report of Waste Discharge shall, at a minimum, include the following:

- a. Any revisions to the SWMP including, but not limited to, all the activities the permittee proposes to undertake during the next permit term, goals and objectives of such activities, an evaluation of the need for additional source control and/or structural BMPs, any proposed pilot studies, etc.,
  - b. Changes in land use and/or population including map updates,
  - c. Any significant changes to the storm drain systems, outfalls, detention or retention basins or dams, and other controls including map updates of the storm drain systems, and
  - d. New or revised elements and compliance schedules necessary to comply with the Receiving Water Limitations in this Order.
16. This permit shall serve as a National Pollutant Discharge Elimination System (NPDES) Permit pursuant to Section 402 (p) of the Clean Water Act, or amendments thereto, and shall become effective ten days after the date of its adoption provided the Regional Administrator of the U.S. EPA has no objections. If the Regional Administrator objects to its issuance, the permit shall not become effective until such objection is withdrawn.

Certification

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on October 22, 1999.

Roger W. Briggs  
Executive Officer

ATTACHMENT A - DRAINAGE SYSTEMS IN THE SALINAS AREA

ATTACHMENT B - MAP OF PERMIT BOUNDARY

APPENDIX A - STANDARD PROVISIONS

(Salinas Permit 7-7-99)



STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
81 Higuera Street, Suite 200  
San Luis Obispo, CA 93401-5427

MONITORING AND REPORTING PROGRAM NO. 99-087  
NPDES NO. CA0049981  
[Waste Discharge Identification No. 3 279906001]  
First Draft June 25, 1999  
Proposed for Consideration at the October 22, 1999 Meeting

FOR

THE CITY OF SALINAS  
MUNICIPAL STORM WATER DISCHARGES  
Monterey County

**I. GENERAL**

1. This monitoring and reporting program is intended to ensure the permittee is in compliance with requirements and provisions contained in this order. Revisions may be made under the authority of the Executive Officer at any time during the permit term, and may include a reduction or increase in the number of parameters to be monitored, the frequency of monitoring, or the number and size of samples collected.
2. The permittee shall implement their Long Term Monitoring Program Field Sampling Plan (Monitoring Program), submitted on June 15, 1999 and revised on *(date to be inserted in final draft)*. It is anticipated the Monitoring Program may need to be modified, revised, or amended from time to time in response to past monitoring results, program evaluation and effectiveness, program priorities and direction, and as directed by the Executive Officer. Requests for changes may be initiated by the Executive Officer or the permittee. Any modifications, revisions, or amendments to the Monitoring Program shall be submitted to the Executive Officer no later than August 1 of each year for review and comment by Regional Board staff, and to ensure Executive Officer approval of the modified, revised, or amended plan by September 1 of each year for implementation by October 1 of each year.
3. All sample collection, handling, storage, and analyses shall be in accordance with 40 CFR Part 136 or other methods approved by the Executive Officer.
4. The permittee is authorized to complement their monitoring data with other monitoring sources outside the permit boundary, provided the monitoring conditions and sources are similar to those in the permit boundary.
5. For all public construction activities owned by the permittee which meet the criteria for requiring coverage under the State's General Construction Activities Storm Water Permit (General Permit), compliance monitoring shall be performed by the permittee in accordance with the monitoring requirements of current General Permit. Any instances of non-compliance shall be included in the Annual Evaluation Report, described in Item III.2, below.

## II. OBJECTIVES

The overall goal of the Monitoring Program is to identify storm water related impacts to the receiving water environment and assess changes that result from implementation of the storm water management program. The following information will be gathered through implementation of the Monitoring Program:

- The health of the City's receiving waters relative to a non-impacted reference stream
- A prioritized list of constituents related to human health concerns and aquatic ecosystems in targeted locations
- Identification, to the extent possible, of the high priority constituents associated with the City's urban storm water runoff
- Opportunities for protecting and/or enhancing beneficial uses of the City's streams
- Assessment of the effectiveness of the City's storm water management program in controlling urban discharges to impacted reaches.

The Regional Board recognizes this information may not be attainable during the permit period and authorizes the Executive Officer to evaluate and to determine adequate progress toward meeting each objective.

A summary table of information to be collected and reported under the Monitoring Program is included as Attachment "A," and monitoring locations are depicted in Figure "1."

## III. REPORTING

1. All progress reports and proposed strategies and plans required by this order shall be signed by the permittee and copies shall be submitted to the Executive Officer of the Regional Board under penalty of perjury.
2. The permittee shall submit an **ANNUAL EVALUATION REPORT** to the Executive Officer of the Regional Board and to the Region 9 USEPA Regional Administrator no later than August 1 each year. The Annual Evaluation Report is a tool for the permittee to establish, through implementation of the storm water management program, reductions in the discharge of pollutants in storm water to the maximum extent practicable and to ensure achievement of the goals of the Clean Water Act. This evaluation report may be submitted in a mutually agreeable electronic format, and, at a minimum, shall include the following:
  - a. A review of the status of program implementation and compliance (or non-compliance) with the schedules contained in this order and in the permittee's storm water management program;
  - b. An assessment of the effectiveness of eliminating illicit discharges. The effectiveness may be measured in terms of how successful the program has been in eliminating illicit/illegal discharges and reducing pollutant loads in storm water discharges. This should also include plans for eliminating or permitting any non-storm water discharges, as described in Discharge Prohibition A.4;

- c. A summary of ongoing permittee owned construction activities which meet the criteria for coverage under the State's General Construction Activities Storm Water Permit, to include site locations, project size, estimated completion date, and any issues of non-compliance identified through site monitoring, as described in I.5, above.
- d. An assessment of any storm water management program modifications made to comply with Clean Water Act requirements to reduce the discharge of pollutants to the maximum extent practicable;
- e. A summary and analysis of monitoring results from the previous year and any changes to the monitoring program for the following year;
- f. A review and assessment of legal authority required to adequately implement the SWMP. This shall include additional authority necessary based on proposed SWMP or Monitoring Program modifications. If authority is not adequate, include a plan, with a time schedule, to achieve adequate legal authority;
- g. A report of proposed modifications to the SWMP, Monitoring Program, or assessment of controls plan. This report shall include reasons for modifications, expected water quality benefits, and a time schedule for implementing modifications.
- h. Reporting, as necessary, under Receiving Water Limitation C.3.
- i. Reporting, as necessary, under Discharge Prohibition A.4, including requests for additional non-storm water discharges to be added to the listing in Discharge Prohibition A.2.
- j. A fiscal and staffing analysis progress report, to include, at a minimum, the following information:
  - The permittee's storm water expenditures for the previous fiscal year,
  - The permittee's storm water budget for the current fiscal year, including sources and any limitations on use of funds,
  - An evaluation of the implementation and adequacy of the storm sewer user fee,
  - A staffing analysis detailing future additional staff requirements needed to accomplish SWMP activities, along with a timeframe and plan to obtain adequate staffing, if necessary,
  - An estimation of the permittee's budget for the next fiscal year, including sources and any limitations on use of funds, and
  - An evaluation of and corrective action plan for potential storm water funding issues in the next year;
- k. An assessment of the effectiveness of storm water controls (based on the assessment of controls plan), to include:

- estimates of pollutant reductions as a result of implementation of the storm water management program, based upon quantitative and/or qualitative data,
  - an evaluation of the attainment of implementation goals for storm water management measures, as submitted by the permittee on *(date to be inserted in final draft)*;
- l. A draft workplan which describes the proposed implementation of the storm water management program for next reporting year. The workplan shall include clearly defined tasks, responsibilities, and schedules for implementation of the storm water management program and the permittee's actions for the next reporting year; and
- m. Major changes in any previously submitted plan/policies.
3. The permittee shall be responsible for the submittal of all required information/materials needed to comply with this order in a timely manner. All such submittals shall be signed by a duly authorized representative under penalty of perjury.

#### IV. REPORTING SCHEDULE

All reports required by this order shall be submitted to the Executive Officer of the Regional Board in accordance with the following schedule:

ITEM	DUE DATE
Annual Evaluation Report	August 1 of each year

Ordered by \_\_\_\_\_  
Roger W. Briggs  
Executive Officer  
October 22, 1999

<b>Summary Table - Monitoring and Reporting Program for Salinas Municipal NPDES Storm Water Permit</b>					
<b>Type of Monitoring</b>	<b>Overall Study Objectives and Data Uses</b>	<b>Parameters Analyzed</b>	<b>Sampling Locations</b>	<b>Frequency of Sampling</b>	<b>Reporting to Regional Board</b>
<b>Environmental Monitoring of Receiving Waters</b>					
In-situ water quality measurements	Analyses of spatial and temporal variations in water quality	<ul style="list-style-type: none"> <li>DO</li> <li>pH</li> <li>temperature</li> <li>conductivity</li> <li>turbidity</li> </ul>	20 locations as shown on Figure 1, plus 1 reference reach:  Gabilan Creek – GC1, GC2, GC3, GC4, GC5, GC6  Natividad Creek – NC1, NC2, NC3, NC4, NC5, NC6  Santa Rita Creek – SR1, SR2, SR3, SR4  Reclamation Ditch – RD1, RD2, RD3, RD4  Reference Reach – REF1 on Gabilan Creek upstream (north) of City limits	Annual - once each year of permit term	In Annual Evaluation Report due by August 1 each year of permit term.
Water quality grab sampling for conventional parameters	Define baseline water quality conditions	<ul style="list-style-type: none"> <li>nutrients</li> <li>suspended solids</li> <li>dissolved solids</li> <li>bacteria</li> <li>Chlorophyll-a</li> <li>total/fecal coliform</li> </ul>			
Sediment sampling	Define baseline conditions and identify high priority constituents for human health and aquatic life	<ul style="list-style-type: none"> <li>metals</li> <li>PAHs</li> <li>pesticides/herbicides</li> <li>PCBs</li> <li>total organic carbon</li> </ul>			
Biological assessments	Analyses of potential storm water impacts on receiving waters and assess aesthetic quality of stream corridors	<ul style="list-style-type: none"> <li>benthic macroinvertebrates</li> <li>habitat classification</li> </ul>			
<b>CCAMP Conventional Water Quality Monitoring</b>	Participation in 1999-00 regional monitoring in the Salinas River Valley.	<ul style="list-style-type: none"> <li>DO</li> <li>pH</li> <li>temperature</li> <li>conductivity</li> <li>turbidity</li> <li>nutrients</li> <li>suspended solids</li> <li>dissolved solids</li> <li>bacteria</li> <li>Chlorophyll-a</li> <li>total/fecal coliform</li> </ul>	5 locations near City boundaries, as shown on Figure 1:  GC1 Gabilan Creek NC1 Natividad Creek SR1 Santa Rita Creek RD1 Reclamation Ditch RD4 Reclamation Ditch	Monthly for one 12 month period during 1999-2000	In Annual Evaluation Report due by August 1, 2000; Plus quarterly raw data reports.

<b>Summary Table - Monitoring and Reporting Program for Salinas Municipal NPDES Storm Water Permit</b>					
<b>Type of Monitoring</b>	<b>Overall Study Objectives and Data Uses</b>	<b>Parameters Analyzed</b>	<b>Sampling Locations</b>	<b>Frequency of Sampling</b>	<b>Reporting to Regional Board</b>
<b>Baseline Monitoring of Major Outfalls</b>					
Dry Weather	Identify and eliminate potential pollutant sources (illicit discharges)	Visual observations, plus sampling if dry weather flow observed: <ul style="list-style-type: none"> <li>• pH</li> <li>• total copper</li> <li>• total chlorine</li> <li>• total phenol</li> <li>• detergents</li> </ul>	Average of 15 to 20 outfalls per year at rotating locations as shown on Table 1 in Appendix C-1 of Long Term Monitoring Program's Field Sampling Plan	Annual - once each year of permit term	In Annual Evaluation Report due by August each year of permit term.
Wet Weather	Identify and eliminate potential pollutant sources (illicit discharges)	Visual observations and sampling: <ul style="list-style-type: none"> <li>• pH</li> <li>• total suspended solids (TSS)</li> <li>• specific conductance</li> <li>• total organic carbon (or oil &amp; grease)</li> </ul>	Maximum of 5 outfalls per year at the high priority locations identified in the preceding dry weather baseline monitoring.		